

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Martin S. Gottesfeld, pro se,
Plaintiff

- against -

Hugh J. Hurwitz, et al.

DOC#:

DATE FILED

Case No.: 18-cv-10836-PGG

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S.D. OF N.Y.

MOTION FOR EXTENSION OF TIME TO FILE

Plaintiff Martin S. Gottesfeld (herein "Plaintiff"), acting pro se, hereby moves The Honorable Court for an extension of time in which to file his opposition to the defendants' motion to dismiss, filed on May 16th, 2019 (please see D.E. 51). The Honorable Court had previously ordered the plaintiff to file his opposition on June 20th, 2019. (please see D.E. 55).

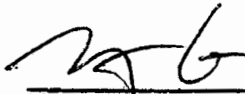
In support of this motion, plaintiff files Exhibit 1 hereto (6-paragraph Affidavit of Martin S. Gottesfeld dated June 9th, 2019) while also noting his pending EMERGENCY MOTION FOR A TEMPORARY INJUNCTION (please see D.E. 12 dated March 11th, 2019), his pending MOTION FOR A TEMPORARY INJUNCTION (please see D.E. 30 dated March 25th, 2019), his pending SUPPLEMENTAL MOTION FOR TEMPORARY INJUNCTIONS (please see D.E. 43 dated March 31st, 2019), his pending SECOND SUPPLEMENTAL MOTION FOR TEMPORARY INJUNCTIONS (please see D.E. 45 dated April 29th, 2019), and his pending MOTION FOR DECLARATORY JUDGMENT (please see D.E. 50 dated April 29th, 2019). The plaintiff further notes the developing events in the case of 18-cv-02328 in The Honorable District of Colorado as relevant to the instant motion.

Further, the plaintiff notes that the defendants took a significant period of time in which to respond to the complaint, all while represented by counsel, which in turn has access to word processing software, unlike the plaintiff. Then, the defendants unexpectedly filed dozens of unreported decisions. As such, the process of distinguishing the instant case from those provided by the defendants as unreported is slow and manual, since published, well-accepted, and binding precedential decisions will not bear citation to the plethora of unreported decisions provided by the defendants.

The plaintiff wishes to state explicitly that he believes the defendants' motion to dismiss is meritless and he does look forward to filing his response.

Given the difficulties and delays enumerated in the materials referenced above (and herein incorporated by reference), the plaintiff now believes that he will be able to file a comprehensive opposition to the defendants' motion to dismiss on or before August 31st, 2019. The plaintiff hereby moves The Honorable Court to grant him an extension until that time in order to file his opposition.

Respectfully mailed bearing USPS tracking number 9114 9014 9645 1828 1183 05 (and filed pursuant to Houston v. Lack, 487 U.S. 266 (1988)) on Monday, June 10th, 2019,



Martin S. Gottesfeld, pro se
Reg. No.: 12982-104
Federal Correctional Institution
P.O. Box 33
Terre Haute, IN 47808

CERTIFICATE OF SERVICE

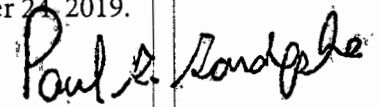
I, Martin S. Gottesfeld, pro se, do hereby certify that on Monday, June 10th, 2019, I mailed a copy of the foregoing document to counsel for the defendants by handing such copy to the FCI Terre Haute CMU unit team, i.e. Ms. Eisele, Ms. Wheeler, and/or Ms. Thomas, for placement in the mail. See Houston v. Lack, 487 U.S. 266 (1988).



Martin S. Gottesfeld, pro se

The application is granted. Accordingly, Plaintiff's opposition is due August 31, 2019, and Defendants' reply is due September 24, 2019.

SO ORDERED.
July 7, 2019



Paul G. Gardephe
United States District Judge